

SENATE BILL 130
EMERGENCY BILL

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2003 Regular Session
3r0903
CF 3r0904

By: **Senator McFadden**

Introduced and read first time: January 24, 2003

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: February 7, 2003

CHAPTER _____

1 AN ACT concerning

2 **Maryland African American Museum Corporation - Board of Directors -**
3 **New Members**

4 FOR the purpose of altering the number of members of the Maryland African
5 American Museum Corporation Board of Directors; authorizing the Governor to
6 appoint to the Board of Directors up to a certain number of members from
7 outside the State under certain circumstances; establishing certain criteria for a
8 quorum at board meetings; providing for certain terms; making this Act an
9 emergency measure; and generally relating to new members of the Maryland
10 African American Museum Corporation Board of Directors.

11 BY repealing and reenacting, with amendments,
12 Article 41 - Governor - Executive and Administrative Departments
13 Section 20-102(c) and (d)
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2002 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 41 - Governor - Executive and Administrative Departments**

19 20-102.

20 (c) (1) The Board of Directors of the Corporation shall manage the affairs of
21 the Corporation and shall exercise all of its corporate powers.

22 (2) The Board of Directors shall consist of [32] 37 members, as follows:

- 1 (i) The Mayor of Baltimore or the Mayor's designee serving ex
2 officio;
- 3 (ii) One representative of Morgan State University, approved by the
4 Board of Regents of the University and appointed by the Governor;
- 5 (iii) The Chairman of the Commission on African American History
6 and Culture or the Chairman's designee, and two other Commission members
7 approved by the Commission, all appointed by the Governor, in order to provide
8 continuing coordination and cooperation between the Corporation and the
9 Commission and to assure consistency with the statewide programs and mandates of
10 the Commission;
- 11 (iv) Four representatives of African American historical or cultural
12 institutions in the State, appointed by the Governor; and
- 13 (v) [Twenty-three] TWENTY-EIGHT members, appointed by the
14 Governor, who have expertise in African American history, culture, museums, or
15 related areas, have expertise in fund raising, or represent the diversity of
16 communities throughout the State that can benefit from the activities of the
17 Corporation.
- 18 (3) (I) The SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
19 members appointed to the Board shall represent the geographic makeup of the State,
20 and shall be racially and ethnically diverse.
- 21 (II) THE GOVERNOR MAY APPOINT TO THE BOARD UP TO FIVE
22 MEMBERS FROM OUTSIDE THE STATE IF NECESSARY TO ENSURE THAT THE
23 MEMBERSHIP OF THE BOARD SATISFIES THE REQUIREMENTS SPECIFIED IN
24 PARAGRAPH (2)(V) OF THIS SUBSECTION.
- 25 (4) The members of the Board shall serve without compensation.
- 26 (5) The term of a member of the Board, excluding the ex officio member,
27 is 4 years.
- 28 (6) Before taking office, each appointee to the Board shall take the oath
29 required by Article I, § 9 of the Maryland Constitution.
- 30 (7) The terms of members are staggered AS REQUIRED BY THE TERMS
31 PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 1998 AND, IN 2003, THE DATE ON
32 WHICH THE INCREASE IN THE MEMBERSHIP OF THE BOARD FROM 32 TO 37 MEMBERS
33 TAKES EFFECT.
- 34 (8) At the end of a term, a member continues to serve until a successor is
35 appointed and qualifies.
- 36 (9) A member who is appointed after a term has begun serves only for
37 the remainder of the term and until a successor is appointed and qualifies.

1 (d) (1) The Board shall elect one of its members as chairman, one as vice
2 chairman, and one as treasurer.

3 (2) [Seventeen members of the Board constitute a quorum, but action
4 may not be taken by less than the vote of nine members] A MAJORITY OF THE
5 MEMBERS OF THE BOARD THEN SERVING CONSTITUTE A QUORUM.

6 (3) A vacancy in the membership of the Board of Directors does not
7 impair the right of a quorum of the Board of Directors to exercise all rights and
8 perform all the duties of the Corporation.

9 (4) The Board shall appoint an executive committee and may appoint
10 such other committees as the Board deems necessary or desirable.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
12 individuals initially serving on the Board of Directors in new positions established by
13 this Act shall expire as follows:

14 (1) two members in 2004;

15 (2) two members in 2005; and

16 (3) one member in 2006.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an
18 emergency measure, is necessary for the immediate preservation of the public health
19 or safety, has been passed by a yea and nay vote supported by three-fifths of all the
20 members elected to each of the two Houses of the General Assembly, and shall take
21 effect from the date it is enacted.